

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD ALAN PEPIN and
MICHAEL RALPH WORLEY,

Defendants.

NO. CR09-400RSL

ORDER
TO CONTINUE TRIAL DATE

The Court having reviewed the records and files herein including the stipulated motion to continue the trial date makes the following findings and enters the following order:

1. There are two defendants charged in the Indictment. One defendant, Donald Pepin, and his attorney reside in Florida state. As a result, attending in-person meetings, discovery conferences and court appearances are more difficult to plan and facilitate.

2. The government has produced a large volume of electronic discovery and intends to produce discovery in a “searchable” form as soon as available.

3. Defense counsel requires additional time to review the discovery in advance of the parties’ discovery conference. Moreover, given the nature of this case, the parties anticipate the necessity of holding more than one discovery conference.

4. The ends of justice outweigh the best interest of the public and the defendants in a speedy trial. That failure to grant a continuance based upon the parties’

1 need to review the discovery and evidence in this case and to adequately prepare the
2 matter for trial would result in a miscarriage of justice.

3 IT IS HEREBY ORDERED that the pretrial motions cutoff date for defendants is
4 continued from December 31, 2009 to August 20, 2010.

5 IT IS HEREBY ORDERED that the trial date is continued from February 8, 2010
6 to September 20, 2010.

7 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code,
8 Section 3161(h), the period of time from February 8, 2010 up to and including September
9 20, 2010 is excluded in the computation of time under the Speedy Trial Act.

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11 DONE this 22nd day of January, 2010.

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14 Robert S. Lasnik
15 United States District Judge

16 Presented by:

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